

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

<b>AJMAL GHANI,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Civil Action No. 3:12-cv-00272-REP</b>
	)	
<b>BIERMAN, GEESING, WARD &amp;</b>	)	
<b>WOOD, <i>et al.</i>,</b>	)	
	)	
<b>Defendants.</b>	)	
	)	

**DEFENDANTS’ RULE 12(B)(6) MOTION TO DISMISS**

COME NOW Defendants Equity Trustees, LLC (“Equity”) and BWW Law Group, LLC, formerly known as Bierman, Geesing, Ward & Wood, LLC (“BWW”) (collectively referred to as the “Defendants”), by counsel, and move the Court to dismiss this action with prejudice pursuant to Federal Rule of Civil Procedure 12(b)(6) because the Complaint fails to allege a plausible claim for relief against the Defendants. Among other defects, all of the actions which the Defendants allegedly took in violation of the federal Fair Debt Collection Practices Act were alleged to have been taken by Defendants more than one year prior to the commencement of this action. As such, this action is barred by the one year limitations period set forth in the federal Fair Debt Collection Practices Act at 15 U.S.C. § 1692k(d).

WHEREFORE, for those reasons described above; those set forth in the Joint Memorandum of Law in Support of Defendants’ Rule 12(b)(6) Motion to Dismiss, filed contemporaneously herewith; and those advanced at oral argument of this motion, the Defendants respectfully request that the Court (i) dismiss the Plaintiff’s Complaint without leave

to amend; (ii) award Defendants their attorneys fees and costs incurred in this bringing this motion; and (iii) award any further relief the Court deems appropriate.

Respectfully submitted,

Dated: May 10, 2012

By /s/ Allison Melton

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Wood, LLC and Equity Trustees, LLC*

### **CERTIFICATE OF SERVICE**

I hereby certify that on the 10th day of May, 2012, I electronically filed the foregoing pleading with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to:

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